

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Volkmar Guenzler-Pukall et al.

Title: TREATMENT OF DIABETES

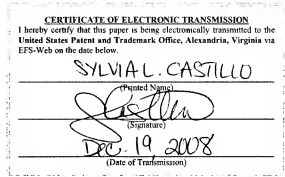
Appl. No.: 10/729,704

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Examiner: Teller, Roy R.

Art Unit: 1654

Confirmation 5297
Number:



AMENDMENT AND REPLY UNDER 37 CFR 1.114

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Amendment and Reply under 37 C.F.R. § 1.114 constitutes a Request for Continued Examination (RCE) and is responsive to the Final Office Action dated March 20, 2008, concerning the above-referenced patent application. Applicants filed a Notice of Appeal on September 19, 2008. The Notice was received by the Office on September 22, 2008. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated). Together, with 1-month extension of time and the appropriate fees, this RCE is timely filed before or on its next due date of December 22, 2008.

Amendments to the Claims are reflected in the listing of claims, which begins on page 3 of this document.

Remarks/Arguments begin on page 5 of this document.

Please amend the application as follows.